[1][SCHEDULE IV.*

(See section 37.)

Additional Powers with which Magistrates may be invested.

PART I.—[2][(A)] BY STATE GOVERNMENT.

Powers with which a Magistrate of the First Class may be invested.

1. *Power to issue process for person within local jurisdiction who has committed an offence outside the local jurisdiction, section 185;*

2. *Power to take cognizance of offences upon complaint, section 190;*

3. *Power to take cognizance of offences upon police reports, section 190;*

4. *Power to take cognizance of offences without complaint, section 190;*

5. [3]* *

6. *Power to try summarily, section 260;*

7. *Power to pass sentence on proceedings recorded by a Magistrate of the Second and Third Class, section 349;*

8. *Power to hear appeals from conviction by Magistrate of the Second and Third Class, section 407;*

9. *Power to try cases under section 124-A of the Indian Penal Code.*

Powers with which a Magistrate of the Second Class may be invested.

1. *Power to record statements and confessions during a police investigation, section 164;*

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[1] Substituted by Bom. 23 of 1951, s. 2 and Sch. Pt. I, for the original Schedule IV.

[2] Inserted by Bom. 34 of 1953, s. 11(*1*).

[3] Entry 5 deleted by Bom. 71 of 1954, s. 7(*i*).

*The original Schedule IV is as under:—

"SCHEDULE IV.

(See sections 37 and 38).

Additional Powers with which State Magistrates may be invested.

Powers with which a Magistrate of the First Class may be invested—

BY THE STATE GOVERNMENT.

(1) Power to require security for good behaviour in case of sedition, section 108.
(2) Power to require security for good behaviour, section 110.
(3) Omitted.
(4) Power to make orders prohibiting repetitions of nuisances, section 143.
(5) Power to make orders under section 144.
(6) Omitted.
(7) Power to issue process for person within local jurisdiction who has committed an offence outside the local jurisdiction, section 186.
(8) Power to take cognizance of offences upon complaint, section 190.
(9) Power to take cognizance of offences, upon police reports, section 190.
(10) Power to take cognizance of offences without complaint, section 190.
(11) Power to try summarily, section 260.
(12) Power to hear appeals from convictions by Magistrates of the second and third classes, section 407.
(13) Power to sell property alleged or suspected to have been stolen, etc., section 524.
(14) Omitted.
(15) Power to try cases under section 124-A of the Indian Penal Code.

BY THE DISTRICT MAGISTRATE.

(1) Power to make orders prohibiting repetitions of nuisances, section 143.
(2) Power to make orders under section 144.
(3) Omitted.
(4) Power to take cognizance of offences upon complaint, section 190.
(5) Power to take cognizance of offences upon police reports, section 190.
(6) Power to transfer cases, section 192.

SCHEDULE IV—*contd.*

2. *Power to authorise detention of a person in the custody of the police during a police investigation, section 167 ;*

3. *Power to take cognizance of offences upon complaint, section 190 ;*

4. *Power to take cognizance of offences upon police reports, section 190 ;*

5. *Power to take cognizance of offences without complaint, section 190 ;*

6. *Power to commit for trial, section 206 ;*

7. *Power to stop proceedings instituted otherwise than upon complaint, section 249 ;*

8. *Power to make order as to first offenders, section 562 ;*

Powers with which a Magistrate of the Third Class may be invested.

1. *Power to record statement and confessions during a police investigation, section 164 ;*

2. *Power to take cognizance of offences upon complaint, section 190 ;*

3 *Power to take cognizance of offences upon police report, section 190 ;*

4. *Power to stop proceedings instituted otherwise than upon complaint, section 249.*

[1][(B) By a Sessions Judge.

Powers with which any Judicial Magistrate may be invested.

1. *Power to take cognizance of offences upon complaint, section 190 ;*

2. *Power to take cognizance of offences upon police reports, section 190.*]

[2][3. *Power to transfer cases, section 192.*]

Powers with which a Magistrate of the Second Class may be invested—

By the State Government.

(1) Omitted.
(2) Power to make orders prohibiting repetitions of nuisances, section 143.
(3) Power to make orders under section 144.
(3a) Power to record statements and confessions during a police investigation, section 164.
(3b) Power to authorize detention of a person in the custody of the police during a police investigation, section 167.
(4) Power to hold inquests, section 174.
(5) Power to take cognizance of offences upon complaint, section 190.
(6) Power to take cognizance of offences upon police reports, section 190.
(7) Power to take cognizance of offences without complaint, section 190.
(8) Power to commit for trial, section 206.
(9) Power to make orders as to first offenders, section 562.

By the District Magistrate.

(1) Power to make orders prohibiting repetitions of nuisances, section 143.
(2) Power to make orders under section 144.
(3) Power to hold inquests, section 174.
(4) Power to take cognizance of offences upon complaint, section 190.
(5) Power to take cognizance of offences upon police reports, section 190.

Powers with which a Magistrate of the Third Class may be invested—

By the State Government.

(1) Power to make orders prohibiting repetitions of nuisances, section 143.
(2) Omitted.
(3) Power to hold inquests, section 174.
(4) Power to take cognizance of offences upon complaint, section 190.
(5) Power to take cognizance of offences upon police reports, section 190.
(6) Omitted.

By the District Magistrate.

(1) Power to make orders prohibiting repetitions of nuisances, section 143.
(2) Omitted.
(3) Power to hold inquests, section 174.
(4) Power to take cognizance of offences upon complaint, section 190.
(5) Power to take cognizance of offences upon police reports, section 190.

Powers with which a Sub-divisional Magistrate may be invested—

By the State Government.

Power to call for records, section 435."

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[1] Added by Bom. 34 of 1953, s. 11 (*1*).

[2] Inserted by Bom. Act 71 of 1954, s. 7 (*ii*).

SCHEDULE IV—*concld.*

PART II.—BY STATE GOVERNMENT.

Powers with which a Sub-divisional Magistrate may be invested.

1. *Power to call for records, section 435.*

Powers with which any other Executive Magistrate may be invested.

1. *Power to make orders prohibiting repetitions of nuisances, section 143;*
2. *Power to make orders under section 144;*
3. *Power to make orders, etc., in possession cases, sections 145 and 147;*
4. *Power to record statements and confessions during a police investigation, section 164;*
5. *Power to hold inquest, section 174;*
6. *Power to sell property alleged or suspended to have been stolen, etc., section 524;*

[1][*Powers with which a Taluka Magistrate may be invested.*

Power to require security to keep the peace, section 107.]

BY DISTRICT MAGISTRATE.

Powers with which any Executive Magistrate may be invested.

1. *Power to make orders prohibiting repetitions of nuisances, section 143;*
2. *Power to make orders under section 144;*
3. *Power to hold inquests, section 174.*]

SCHEDULE V.

(*See section* [2][*555*].)

FORMS.

I.—SUMMONS TO AN ACCUSED PERSON.

(*See section 68.*)

To of

WHEREAS your attendance is necessary to answer to a charge of (*state shortly the offence charged*), you are hereby required to appear in person (*or* by pleader, *as the case may be*) before the (*Magistrate*)

of , on the day

of . Herein fail not.

Dated this day of , 19 .

(*Seal.*) (*Signature.*)

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[1] Inserted by Bom. 34 of 1953, s. 11 (2).

[2] Substituted by the Amending Act, 1903 (I of 1903), Sch. II, Pt. II, for "554".